



GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PENSIONS – Recommendations of PRC 2010 – Categorization of Family Pension beneficiaries - Family Pension to the childless widow of deceased pensioner even after remarriage - Family Pension to the widowed/divorced daughter, irrespective whether she became widowed /divorced either before or after the retirement of employee – Orders – Issued.

FINANCE (PENSION-I) DEPARTMENT

G.O.Ms.No. 315

Dated: 07.10.2010

Read the following:-

1. G.O.Ms.No.438 G.A. (Spl.A) Dept., dated.07.07.2008.
2. G.O.Ms.No.598 G.A. (Spl.A) Dept., dated. 26.11.2009.
3. G.O.Ms.No.523 Finance (Pension.I) Dept., dated 22.06.2004.
4. G.O.Ms.No.231 Finance (Pension.I) Dept., dated 08.08.2008.
5. G.O.Ms.No.203 Finance (Pension.I) Dept., dated 04.06.2010.

* * * * *

ORDER:

In the Government Order 1st read above, orders were issued constituting Ninth Pay Revision Commission and Government appointed Sri C.S.Rao, IAS, (Retd.) as Pay Revision Commissioner. In the Government Order 2nd read above, the terms of reference of the Pay Revision Commissioner were laid down.

2. According to rule 50 of the Andhra Pradesh Revised Pension Rules, 1980 as amended in the reference 5th read above, the Family pension is payable to:

- (i) In the case of a widow or widower, up to the date of death or remarriage, whichever is earlier;
- (ii) In the case of a son until he attains the age of 25 years;
- (iii) In the case of Unmarried daughter until she attains the age of 25 years, or until she gets married, whichever is earlier;
- (iv) In the case of Physically/Mentally disabled sons/daughter throughout their life;

- (v) In the case of widowed/divorced daughter up to the date of death or remarriage or she starts earning a sum of Rs.2440/- per month from the employment in the Government, Private Sector, Self employment etc., which ever is earlier; and
- (vi) Parents who were totally dependent on deceased Govt. servant while he was alive, and where the deceased has not left behind a widow or a child.

3. The Ninth Pay Revision Commission, after due consideration of the existing Family Pension Rules and Government of India orders and the requests of various Associations, inter alia, recommended the following in respect of sanction of Family Pension;

- (i) Categorisation of eligible beneficiaries of family pensioners into two categories as per the orders issued by Government of India in their O.M. F.No.38/37/08- P&PW (A), dated 02.09.2008 of Ministry of Personnel, Public Grievances & Pensions, Department of Pension & Pensioners' Welfare, New Delhi;
- (ii) Continuation of payment of family pension to the childless widow even after her remarriage as per the orders issued by Government of India in their O.M. F.No.38/37/08- P&PW (A), dated 02.09.2008 of Ministry of Personnel, Public Grievances & Pensions, Department of Pension & Pensioners' Welfare, New Delhi;
- (iii) Payment of family pension to the widowed/divorced daughter, irrespective whether she became widowed /divorced daughter either before or after the retirement of employee, provided the spouse predeceases the pensioner and sons/daughters become ineligible for the Family Pension; and
- (iv)** Sanction of family pension to the daughters of deceased pensioners who became widowed /divorced either before or after the date of issue of the G.O.Ms.No.523 i.e. 22-06-2004.

4. After careful consideration of the matter, Government decided to accept the above recommendations of the Pay Revision Commission and hereby order that:-

- (A)** The eligible beneficiaries of family pension are divided into two categories as shown below; namely:-

Category-I:

- (i) Widow or widower, upto the date of death or remarriage whichever is earlier.
- (ii) (a) Son / daughter (including widowed daughter) upto the date of his/her marriage / remarriage or till the date he/ she starts earning or till the age of 25 years, whichever is the earliest.
- (b) Sons/daughters who are physically/mentally disabled throughout their life subject to the conditions specified therein.

Category-II:

- (i) Unmarried/ widowed/ divorced daughter, not covered by Category-I above, upto the date of marriage/ remarriage or till the date she starts earning or upto the date of death whichever is the earliest.
 - (ii) Parents, who were wholly dependent on the Government servant when he / she was alive, provided the deceased employee has left behind neither a widow nor a child. Family pension to dependent parents will continue till the date of death.
- (B)** Family Pension to unmarried/widowed/divorced daughters referred to, in Category-II and dependent parents referred to in category-II shall be payable only after the other eligible family members in the Category-I have ceased to be eligible to receive family pension and there is no physically/mentally disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.
- (C)** The income criteria for dependency will be the minimum family pension along with dearness relief thereon.
- (D)** The Childless widow of a deceased Govt. employee shall continue to be paid family pension even after her remarriage subject to the condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum family pension prescribed from time to time. The Family pensioner i.e. the childless widow, in such cases would be required to give a declaration regarding her income from other sources to the pension disbursing authority once in every six months.

- (E) (i) The widowed/divorced daughter, irrespective whether she became widowed /divorced either before or after the retirement of the employee is, eligible for family pension, provided the spouse predeceases the pensioner and sons/daughters referred to in category-I above become ineligible for the Family Pension.
- (ii) Further this is applicable to all pensioners who retired either before or after the issue of orders in the G.O.Ms.No. 523 Finance (Pension.I) Department dated 22.06.2004 and G.O.Ms.No.231 Finance (Pension.I) Department dated 08.08.2008.
- (iii) For this purpose, the existing pensioners in whose cases, their spouses are deceased and sons/daughters (including physically/Mentally disabled children) referred to in category-I became ineligible for the payment of family pension, and if their widowed/divorced daughters , thus became eligible for the payment of Family pension, have to submit proposals for the sanction and payment of the family pension to the pension issuing authorities through the respective pension sanctioning authorities duly enclosing documentary evidence in support of the divorce of the daughter and death certificate in support of the death of the husband of the daughter, provided they are wholly dependent on the pensioner.

5. Government further decided to issue necessary amendments to the Andhra Pradesh Revised Pension Rules, 1980.

6. The G.O is available on Internet and can be accessed at the address <http://goir.ap.gov.in> and www.apfinance.gov.in.

7. Accordingly, the following notification will be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Revised Pension Rules, 1980 issued in G.O. (P).No.88, Finance & Planning, dated the 26th March, 1980 as amended from time to time.

AMENDMENT

In rule 50 of the said rules:-

I. for sub-rule (5), the following shall be substituted, namely, -

“(5) The period for which family pension is payable shall be as follows,-

Category- I:

A. (i) In the case of a widow or widower, upto the date of death or remarriage whichever is earlier.

(ii) However, in the case of Childless widow of a deceased Government employee, the family pension shall continue to be paid even after her remarriage subject to the condition that the family pension shall cease once her independent income from all other sources becomes equal to or higher than the minimum family pension prescribed in the State Government from time to time. The Family pensioner in such case would be required to give a declaration regarding her income from other sources to the pension disbursing authority once in every six months.

B. (i) In the case of a son until he attains the age of 25 years or starts earning whichever is earlier,

(ii) In the case of daughter until she attains the age of 25 years or she gets married or starts earning, whichever is the earliest.

(iii) In the case of a son or daughter of a Government servant who is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the ages of Son/Daughter as specified in clause (i) and (ii) above the family pension shall be payable to such son or daughter for life subject to the following conditions, namely :-

(a) If such son or daughter is one among two or more children of the Government servant, the family pension shall be initially payable to the children in the order set out in clause (ii) of sub rule (7) of this rule, until the last child attains the ages of Son/Daughter as specified in clauses (i) and (ii) above and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life;

(b) If there are more than one such child suffering from disorder or disability of mind, or who are physically crippled or disabled, the family pension shall be paid in the order of their births and younger of them will get the family pension only after the elder next above him/her ceases to be eligible;

(c) The benefit of family pension to physically crippled or mentally disabled children, however, is only admissible in respect of Government employees who are entitled to family pension under this rule or under the rules specified in part II of these rules:

- (d) where the family pension is payable to such twin children, it shall be paid to such twin children in equal shares:

Provided that when one such child ceases to be eligible, his/her share shall revert to the other child and when both of them cease to be eligible, the family pension shall be payable to the next eligible single child/twin children.

- (e) the family pension shall be paid to such son or daughter through the guardian as if he/she were a minor;
- (f) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child;
- (g) the person receiving the family pension as guardian of such son or daughter, shall produce every three years a certificate from a medical officer not below the rank of a Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

Explanations:-

- (i) The family pension payable to such son or daughter under this sub-rule shall be stopped if he/she starts earning his/her livelihood;
- (ii) The family pension payable to such daughter under this sub rule shall be stopped from the date she gets married;
- (iii) In such cases, it shall be the duty of the guardian to furnish a certificate to the treasury or bank, as the case may be, every month to the effect that:-
- a. He/she has not started earning his/her livelihood;
- b. In the case of a daughter, that she has not yet married.

Category- II:

- A.** In the case of Unmarried/ widowed/ divorced daughter, not covered by Category-I above, upto the date of marriage/ remarriage or till the date she starts earning or upto the date of death whichever is the earliest, provided they are wholly dependent on the employee/pensioner.

- B.** In the case of Parents who were wholly dependent on the Government servant when he/ she was alive, upto the date of death, provided the deceased employee has left behind neither a widow nor a child.

NOTE (1):- Family Pension to unmarried/widowed/divorced daughters and dependent parents specified in Category-II, shall be payable only after the other eligible family members in Category-I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension.

NOTE (2):- Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

NOTE (3):- The income criteria for dependency will be the minimum family pension along with dearness relief thereon. "

II. In sub-rule (12), for clause (b), the following shall be substituted, namely, -

“(b) “Family” in relation to Government servants means -

Category- I:

- (i) Wife in the case of a male Government servant, or husband in the case of a female Government servant.

Note 1:- Wife and husband shall include respectively judicially separated wife and husband.

Note 2 :- Where the appointing authority decides that for reasons to be recorded in writing a child or children from a judicially separated deceased female Government servant should receive the family pension in preference to judicially separated husband of the deceased Government servant such husband shall not be regarded as covered by the expression ‘family’.

- (ii) Sons / daughters, including such son/daughter adopted legally before retirement or son/daughter born after retirement, and also including physically/mentally disabled son/daughter.

Category – II:

- (i) Unmarried/ widowed/ divorced daughter, not covered by Category-I above,
- (ii) Parents who were wholly dependent on the Government servant when he/ she was alive, provided the deceased employee has left behind neither a widow nor a child.

Note:- The period of payment of Family Pension and conditions subject to which the Family Pension is payable, shall be as specified in Sub-rule (5) above.”

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

The Commissioner, Printing, Stationery and Stores Purchase, Hyderabad for publication in the Gazette.

All Departments of Secretariat.

All the Heads of Departments.

The Director of Treasuries, A.P. Hyderabad.

The Director of State Audit, A.P. Hyderabad.

The Director of Works and Projects, Hyderabad.

The Pay and Accounts Officer, Hyderabad.

The Joint Director, Pension Payment Office, Jambagh, Hyderabad

The Principal Secretary to Governor, Raj Bhavan, Hyderabad.

The Principal Accountant General, A.P. Hyderabad.

The Accountant General (A&E) A.P. Hyderabad.

The Accountant General (Audit. I) A.P. Hyderabad.

The Accountant General (Audit.II) A.P. Hyderabad.

The Accountant General of other states given below through A.G., A.P. Hyderabad)

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Managing Director, A.P. GENCO Vidyut Soudha, Hyderabad.

The Managing Director, A.P. TRANSCO Vidyut Soudha, Hyderabad

The Commissioners of Municipal Corporation, Greater Hyderabad, Vijayawada, Greater Visakhapatnam, Warangal, Kurnool, Rajahmundry, Guntur, Nellore, Kakinada, Eluru, Nizamabad Karimnagar and Kadapa.

The Registrar, Andhra University, Visakhapatnam, Dravidian University, Kuppam, Acharya N. G. Ranga Agricultural University: Andhra Pradesh, Hyderabad, Dr. B. R. Ambedkar Open University, Hyderabad, Acharya Nagarjuna University, Guntur, Central Institute of English and Foreign Languages University, Hyderabad, Jawaharlal Nehru Technological University, Hyderabad, Kakatiya University, Warangal, K L University, Vijayawada, Maulana Azad National Urdu University, Hyderabad, Osmania University, Hyderabad, Potti Sreeramulu Telugu University, Hyderabad, Sri Venkateswara University, Tirupati, Sri Padmavathi Mahila University, Tirupati Sri Krishnadevaraya University, Anantapur, Sri Sathya Sai University, Puttaparthi, University of Hyderabad, International Institute of Information Technology, Hyderabad, National Institute of Technology, Warangal, NTR University of Health Sciences, Vijayawada, Yogi Vemana University, Kadapa, Telangana University, Nizamabad, Adikavi Nannaya University, Rajamundry, Nizam Institute of Medical Sciences, Hyderabad, Sri Venkateshwara Institute of Medical Sciences & University, Tirupathi, Sri Venkateshwara Veterinary University, Tirupathi, Rashtriya Sanskrit Vidya Petha, Tirupathi.

The Chairman, Tribunal for Disciplinary Proceedings, Hyderabad.

The Vice Chairman, A.P. Housing Board, Hyderabad.
 All the Collectors.
 All the District Judges.
 All the District Treasury Officers.
 All the Chief Executive Officers of Zilla Praja Parishads.
 All the District Panchayat Officers.
 All the District Educational Officers.
 The F.A.& C.A.O., N.S. Project, Secretariat Buildings, Hyderabad.
 The Secretary Tungabhadra Project, Via. Hospet, Bellary District.
 The Joint Director (Works & Accounts), N.S. Right Canals, Vijayapuri North, Nalgonda District.
 The Joint Director (Works & Accounts), N.S. Left Canals, Tekulapally, Khammam District.
 The Joint Director (Works & Accounts), G.B. Project, Dowlaiswaram, E.G. District.
 The Director of Accounts, Sriramsagar Project, Nizamabad District.
 The Pay and Accounts Officer, T.P.H.L.C., Stage-I, Anantapur.
 The Assistant Pay and Accounts Officer., Vamsadhara Project, Srikakulam District.
 The Director of State Ports, Kakinada, East Godavari, A.P.,
 All the Secretaries of Agricultural Market Committees through Director of Marketing .
 All the Commissioners/Special Officers of Municipalities through the Commissioner of Municipalities.
 The Director General, Dr. M.C.R. H.R.D Institute of A.P., Jubilee Hills, Hyderabad.
 The Chairman, Commission of Enquiries, A.P. Hyderabad.
 The Lokayukta and Upa Lokayukta, A.P. Hyderabad.
 Copy to SF/SCS.

//FORWARDED::BY ORDER//

SECTION OFFICER